

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

FILED
U.S. DISTRICT COURT
INDIANAPOLIS DIVISION
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SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

SHARON L. HERNDON, Plaintiff, v. ACCOUNTS RECOVERY BUREAU, INC. Defendant.	CIVIL ACTION NO. 1 :10 cv- 1430 JMS-DML
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COMPLAINT

I. INTRODUCTION

1. This is an action brought by Plaintiff Sharon L. Herndon to recover actual damages, statutory damages, punitive damages, costs of the action, a reasonable attorney's fee and all other damages allowed by law from Defendant Accounts Recovery Bureau, Inc. (hereinafter "ARB") for violation of the Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681x.

II. JURISDICTION

2. Jurisdiction of this court arises under 28 U.S.C. §§ 1331, 1337(a), 1343(a)(4), and 15 U.S.C. § 1681p.

III. PLAINTIFF

3. Plaintiff Sharon L. Herndon is a natural person residing in Carmel, Indiana.

IV. DEFENDANTS

4. Defendant Accounts Recovery Bureau, Inc. is a for-profit foreign corporation with its principal place of business in Wyomissing, Pennsylvania.

V. STATEMENT OF FACTS

5. At all relevant times herein, Plaintiff did not owe a debt to Defendant.
6. At all relevant times herein, Plaintiff was not liable on any debt referred to Defendant for collection.

7. In February 2010, Defendant obtained Plaintiff's consumer report.
8. Defendant did not have Plaintiff's authorization or any other permissible purpose to obtain Plaintiff's consumer report.
9. Defendant knew that it did not have a permissible purpose to obtain Plaintiff's consumer report.

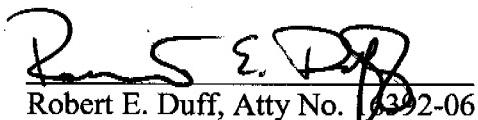
VI. CLAIMS FOR RELIEF

A. Fair Credit Reporting Act

10. Plaintiff repeats, re-alleges and incorporates by reference paragraphs one through nine above.
11. ARB violated § 1681i(a)(1) of the Fair Credit Reporting Act by obtaining Plaintiff's consumer report without a permissible purpose.
12. The foregoing violation was willful.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in her favor and against Defendant in an amount that will compensate her for her actual damages, statutory damages, punitive damages, costs of the action, a reasonable attorney's fee and all other relief to which she is entitled.

Respectfully submitted,



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